

Minister Smith—The power of the Board of Health to decide upon what is a menace to the public health is a right recognized throughout the world. The same right is given in other departments. If there happens to be a fire and by blowing up my buildings the destruction can be stopped, the Chief of the Fire Department has a perfect right to do it without consulting me; he does not have to run around to the courts to find out whether it is right to do it. If I have a dog that goes mad and proceeds to bite people the policeman who sees it has a perfect right to kill it without notifying me of his intention, or giving me a right to fight any proposed action in the courts.

Rep. Robertson—The Government would have to pay damages, though. Minister Smith (continuing)—That is another matter. If the condemnation proceedings are to be taken from one court to another, it would be six months before a decision could be had.

Rep. Robertson—I don't want to be understood as opposing any bill that will provide for the protection of public health. The Board of Health has that power and will continue to hold it. But I don't want to show me any constitutionalism in an Act that is not reviewable by a court. Minister Smith's remarks about burning buildings and mad dogs have nothing to do with this bill. There is no provision here for a review by the Executive Council; it simply gives the Board of Health the undeniable right to condemn property and I ask to be shown such a condition of affairs in any civilized country. Minister Smith—I think Rep. Robertson is getting a little mixed. We must have a law that will give arbitrary laws in dealing with such matters, to some body in the Government.

Rep. Robertson—I do not object to that, but you provide here that the decision of the Board of Health shall be final. I contend that a decision that is not reviewable by a court is unconstitutional.

A general discussion on the advisability of having the committee change the wording of the Act, so that the law while being effective would not confer such arbitrary powers on any body, resulted in the bill being referred back to the committee.

On motion to adjourn, Minister Smith requested that it be until today, as there would be a meeting of the Executive Council that would occupy all the afternoon. Adjourned.

Thirty-ninth Day. WEDNESDAY, April 8.

After the opening ceremonies of the Senate, Senator Brown presented a petition signed by twenty-seven physicians against a physicians' license. Senator Lyman reported the Registration Act, Ensign bill, Judiciary bill and Senate Bill No. 14, referring to contested elections, placed before the President.

The special committee to which was referred the petition of H. Hackfeld & Co., and the Kahuku plantation, for refunding the import tax on certain machinery, reported that after consulting the Executive and Collector-General, they could not recommend granting the favor. To refund would establish a dangerous precedent, and there was no telling how far it might extend. The report was adopted and the petition laid on the table.

Senator McCandless presented a report on taxation from a special committee.

After reading the report Senator McCandless offered a resolution to allow the press free access to the data from the tax office, which the committee had in its possession. This resolution was adopted.

The kerosene oil bill passed the second reading and was made the special order for third reading on Friday.

On motion of Senator Brown the Internal Tax bill was taken up for second reading and considered item by item.

The first section, naming the usual taxation divisions, passed without discussion. Section 2 passed, placing the time of assessment on sugar crops at January 1st; on rice crops, May 1st. The poll tax was fixed at \$1; school tax, \$2; and road tax, \$2. The road tax is payable by all male citizens between the ages of 17 and 50. Senator Hocking asked for an amendment by which male citizens might work out their school and road tax by labor on the roads at 50 cents a day. Minister Damon and Senator McCandless favored the proposition. On motion of Senator Baldwin Section 5 was referred back to the committee for investigation. Other sections levying a \$2 tax on drays and carts, \$5 on carriages, wagonettes, etc., \$1 on male dogs, and \$3 on female, passed as read.

Section 14, defining real property, passed. Section 15, defining personal property, gave rise to a lively discussion by Senator Hocking offering an amendment to tax book accounts. The amendment was lost, the Section passed, and on motion of Senator Brown the Senate adjourned.

House of Representatives.
Minister King announced signing by the President of the bill defining the proportions of the national ensign. Minister King asked for and was granted further time to prepare an-

swers to the questions of Rep. Richards regarding the position of the Government on the matter of the electric lighting of the city.

A letter from the Senate announced passage in third reading of House Bill No. 7, relating to registration; also, concurrence of Senate in Senate Bill No. 17, relating to the reorganization of the Judiciary Department.

Rep. Bond reported as follows for the select committee to whom was referred House Bill No. 16, relating to gambling and gaming:

"Your special committee to whom was referred House Bill No. 16, relative to gambling and gaming, having had the same under consideration, beg leave to offer the following amendments, to wit:

"Strike out the last three words of the title, as being unnecessary.

"Strike out the word 'chapter' in the first line of Section 1 and substitute the word 'Act.' Also, after the words 'Section 9A,' in line 3, strike out the words 'relative to gaming or gaming at horse races.'

"In line 5, after the words 'horse race,' insert the words 'boat race.'

"In line 6, after the word 'game,' insert the word 'sport.'

"Substitute Section 2 with the usual effecting clause to read as follows:

"This Act shall take effect from the date of its publication.

"With these amendments your committee recommend that the bill pass."

Rep. Winston presented a petition from the Chinese shoemakers of the city protesting against the proposed bill for the levying of additional license fees.

Second reading of House Bill No. 12 called up on the order of the day.

Rep. Rycroft moved that the consideration of the bill be postponed until a motion be made to bring it up again—this on account of the absence of the Attorney-General and Rep. Robertson, the two parties who were best acquainted with the bill.

There being no additional reports on the Appropriation bill, consideration of the same was deferred and Senate Bill No. 8 taken up.

The report of the Committee on Public Lands, recommending that an item of \$4,000 be inserted for the rebuilding of the Waiawa bridge in the district of Ewa, was adopted and the item inserted and passed.

Senate Bill No. 11, "An Act to amend Section 2 of an Act entitled, 'An Act restricting Chinese immigration,' and being Chapter 8 of the Session Laws of 1892, and to amend Section 4 of Act 3 of the Legislature of the Republic of Hawaii, special session 1895, being entitled, 'An Act relating to the restriction of Chinese immigration,' brought up in first reading, section by section.

Passed first reading and upon motion read second time by title. Passed second reading and referred to the Printing Committee.

House Bill No. 16, relating to the prohibition of gambling and gaming, taken up for consideration with the report of the committee.

After the reading of Section 1 and the recommendation of the committee, Rep. Richards said he thought that if the bill were passed it would simply be winked at by everybody. It was all right enough to talk and read about, but when it came to enforce the law, such a thing would never be done. A section in the Provisional Government laws enumerated a lot of games such as che fa, but the games mentioned in the new bill had been avoided. The framers of the law must have realized that there could be no enforcement of law in regard to these. Rather than pass an Act that would not be observed by people who voted for it, he moved that the bill be indefinitely postponed.

Rep. Rycroft thought that the law would practically become a dead letter. One man had said at a public meeting that baseball in the United States had been killed by the betting habit, and serious results in the same sport had come about in Honolulu through the same cause. The law as proposed might not stop gambling, privately, but it would put a stop to gambling publicly. If the law guaranteed some good it should be passed. There were many laws such as the one in regard to the sale of liquor, that were being continually broken, but that fact did not prove their uselessness.

Rep. Bond said that secret betting could not be stopped, but such gambling as is found at baseball games, horse races and other places, and the moral influence of which could not help but be very bad, could be largely stopped.

Rep. Rycroft explained that the committee to whom the matter was referred had all signed the report with the exception of Rep. Robertson, and from remarks made by him, he was sure that member would not hesitate for a moment.

Rep. Richards withdrew his motion to indefinitely postpone the bill.

Rep. Cluney said he did not believe in bringing in all such samples of the Connecticut Blue Laws. There had been no such laws before, why should there be now? No other country had adopted such a law. He did not believe in preventing men from having a little fun when they so desired. As to children, if they lost money at the horse races one day, or a baseball game, they could go again and stand a chance of winning back their money.

Rep. Rycroft explained that Captain Cluney was just a little off, and that there were the very strictest kind of laws in both England and America regarding the point under discussion. Rep. Rycroft alluded to the horse races as being one of the greatest curses of mankind.

Upon being put to vote the recommendations of the committee were adopted and the bill passed its second reading. Moved and carried that the bill be read a third time Tuesday.

Under suspension of rules Rep. Richardson read the following report of the Finance Committee:

"Your Finance Committee, to whom was referred all items in the two appropriation bills now before the House under head of 'Miscellaneous,' relating to electric light, have now to report as follows:

gation that the item is made up as follows:

One inspector, per month, \$175; two dynamo men, one at \$80 and one at \$65, \$145; one line foreman, \$65; one station keeper, \$55; two trimmers, at \$55, \$110. Total, \$550.

Twelve months at \$550, \$13,200. "We also find that the inspector drawing a salary of \$175 per month from the Government is employed by the Telephone Company at a salary of \$200 per month.

"Your committee are of the opinion that it is impossible for any one man to fill two positions of the kind and do justice to both.

"We are also of the opinion that the salary paid is entirely out of proportion to the work done, as an examination of the lines will prove; also, that it is out of proportion to salaries paid for the same class of work elsewhere.

"We therefore recommend that there be inserted in the Appropriation bill, in place of line 4, the following:

Line 4—Electric light regular payroll, \$12,000; one inspector at \$125 per month, \$125; (and that he devote the whole of his time to the care of the Government electric light plant); two dynamo men, one at \$80 and one at \$65 per month, \$145; one lineman at \$65 per month; one station-keeper at \$55; two trimmers at \$55, \$110.

"We recommend the other items pass as in the bill."

In speaking of the matter Rep. Richards referred to the present system of electric lighting in the city as being dangerous both to life and property. Honolulu was in possession of the worst system that he had ever seen. The lines were in all sorts of conditions and shapes. They were nailed to houses, telephone poles, electric light poles of the Hawaiian Electric Company and some were nailed to nothing at all. Rep. Richards referred to a wire that had lost its insulation. While looking at it he saw a child catch hold of the wire. Had a current been passing through the wire, the child must surely have been killed. It was astonishing that such a dangerous thing had been allowed to go on. The committee had not considered it necessary to visit the electric light station; an inspection of the wires on the streets was enough. Rep. Richards said that if he had his way about it he would immediately give orders to stop the Government electric lighting plant. In his opinion \$175 was too much pay for a man attending to the running of that place. Men could be obtained for \$125.

Rep. Rycroft said he had been around with Rep. Richards and had found the electric lighting system in a most dangerous condition. In referring to the present inspector he said that the private corporation or company for which that man was working would surely see that their work was properly attended to. Where did the Government come in? Minister Smith said that the statement that the system in Honolulu was a dangerous one was news to him. He had always understood that there was a great improvement. He thought it was certainly an overstatement of facts to say that the whole system was dangerous to life and property. There might be certain places that needed repairing.

Minister Smith, continuing, said he hoped the salary of the inspector would not be cut down to \$125, as was recommended. He had had experience with cheap men before.

Rep. Richards was confident that a good man could be got for \$125 a month. The matter was further discussed, and Rep. Rycroft accepted an amendment made by the Attorney General that the salary of inspector be placed at \$150. He insisted on the rider introduced by the committee to the effect that the inspector attend strictly to the duties of the office.

Rep. Rycroft objected to the change when the committee had recommended \$125 as a salary sufficient to get a good man. There was no money to be thrown about in any such reckless manner.

Item carried with the inspector's salary at \$125.

House adjourned at 12:35 p. m.

During the winter of 1893, F. M. Martin of Long Reach, West Va., contracted a severe cold which left him with a cough. In speaking of how he cured it he says: "I used several kinds of cough syrup, but found no relief until I bought a bottle of Chamberlain's Cough Remedy, which relieved me almost instantly, and in a short time brought about a complete cure." When troubled with a cough or cold use this remedy and you will not find it necessary to try several kinds before you get relief. It has been in the market for over twenty years, and constantly grown in favor and popularity. For sale at 25 and 50 cents per bottle by all druggists and dealers. Benson, Smith & Co., agents for Hawaiian Islands.

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